

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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In Re ACCLAIM ENTERTAINMENT, INC.  
Securities Litigation

PENN CAPITAL MANAGEMENT, ROBERT L.  
MANARD, and STEVE RUSSO, individually  
and behalf of all others similarly  
situated,

Plaintiffs,

-against-

MEMORANDUM AND ORDER  
03-CV-1270 (JS) (ETB)

GREGORY FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,  
and KPMG, LLP,

Defendants.

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DMS CONSULTANTS INC., MONEY PURCHASE  
PENSION PLAN, individually and on  
behalf of all those similarly situated,

Plaintiffs,

-against-

03-CV-1322 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., RODNEY  
COUSENS, and GERARD AGOGLIA,

Defendants.

-----X

BRUCE HICKS, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1698 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., RODNEY  
COUSENS, and GERARD AGOGLIA,

Defendants.

-----X

STEVE RUSSO, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1700 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

DEANE BURK, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-2030 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

GIDION NACH, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1363 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC.

Defendant.

-----X  
JUDITH TRAUBE, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1487 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,

JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

ROBERTA BARON, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1541 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

RICHARD HILDAL, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1640 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

MARGARET VICINO, ARNOLD SILVERSTEIN,  
individually and on behalf of all  
those similarly situated,

Plaintiffs,

-against-

03-CV-1672 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

STEPHEN SYPES, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1685 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

JONATHON P. BERMAN, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-1924 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

-----X

TROY BRAKE, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-2175 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., RODNEY  
COUSENS, and GERARD AGOGLIA,

Defendants.

-----X

ROBERT L. MANARD, individually and on  
behalf of all those similarly situated,

Plaintiff,

-against-

03-CV-2355 (JS) (ETB)

ACCLAIM ENTERTAINMENT, INC., GREGORY  
FISCHBACH, EDMOND SANCTIS,  
JAMES SCOROPOSKI, GERARD AGOGLIA,

Defendants.

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Based on the stipulations among all parties on August 15, 2003, the lead case in this action is 03-CV-1270, and the caption is In re Acclaim Entertainment, Inc. Securities Litigation. Accordingly, the Clerk of the Court is ordered to mark all other matters under the lead case as CLOSED. The Court instructs all parties to file documents ONLY in the lead case.<sup>1</sup>

SO ORDERED.

*J.S./* JOANNA SEYBERT

Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York  
May 12, 2006

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<sup>1</sup>  
NOTE: While filing documents via ECF, the parties are advised to NOT choose the "Spread Text" option. This will ensure that the documents are properly filed under the lead case and not any other related cases.